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7 **UNITED STATES DISTRICT COURT**  
8 **SOUTHERN DISTRICT OF CALIFORNIA**  
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10 ANASTACIO FLORES-FLORES,  
11  
12 vs. Petitioner,  
13 UNITED STATES OF AMERICA,  
14 Respondent.  
15

CASE NO. 10cv79 DMS  
related to case no. 08cr3953 DMS

**ORDER DENYING  
PETITIONER'S REQUEST TO  
RUN SENTENCE ON  
SUPERVISED RELEASE  
VIOLATION CONCURRENTLY**

16 On December 19, 2008, Petitioner Anastacio Flores-Flores pled guilty to two counts of illegal  
17 entry in violation of 8 U.S.C. § 1325. Petitioner was sentenced by this Court to 30 months custody  
18 and one year supervised release. At the time of sentencing, Petitioner was on supervised release  
19 following a guilty plea and custodial sentence for bringing in illegal aliens, in violation of 8 U.S.C.  
20 § 1324(a)(1)(A)(i), in Case No. 05-cr-353. Petitioner was sentenced in that case by Judge Gordon  
21 Thompson.

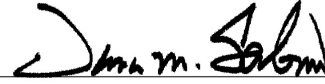
22 On March 6, 2009, the United States Probation Office requested a warrant from Judge  
23 Thompson revoking Petitioner's supervised release. (05-cr-353, Doc. 42.) The USPO recommended  
24 a 10 month custodial sentence to run consecutive to any sentence Petitioner was currently serving.  
25 (*Id.*) Judge Thompson signed the request and a warrant issued. (05-cr-353, Doc. 43.) Apparently,  
26 Petitioner has not yet been sentenced on the revocation.

27 Petitioner is now requesting that the sentence following his supervised release violation run  
28 concurrently with the 30 month sentence imposed by this Court. Because the supervised release

1 violation is pending before Judge Thompson, this Court declines to address Petitioner's request.  
2 Therefore, the Court denies the petition without prejudice to allow Petitioner to file his petition with  
3 Judge Thompson.

4 **IT IS SO ORDERED.**

5 DATED: January 13, 2010



HON. DANA M. SABRAW  
United States District Judge